

DETAILED ACTION

Response to Amendment

Examiners did the wrong set of claims therefore, withdrawn of the non-final rejection on 7/01/08 and a new non-final action is set forth.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by Itoh et al (US Patent Number 5280464).

In regards to claims 1, 3 and 4, Itoh et al discloses an optical pickup, apparatus and method for applying optical beams to an optical disk (Fig. 1), comprising: a collimate lens (Fig. 1, element 80) for transferring optical beams outputted from a light source to parallel light (Column 2, lines 53-55); and an objective lens (Fig. 1, element 20) for collecting the optical beams transferred to parallel light by the collimate lens (Fig. 1, element 10 changes light to parallel to the objective lens) and applying the beams to the optical disk, characterized in that mounting angles of the collimate lens and the objective lens are adjusted so that a 0 degree direction astigmatism of the collimate lens and a 0 degree direction astigmatism of the objective lens may be offset by each other (Column 2, lines

64-68 and Column 3, lines 1-8) and a 45 degree direction astigmatism of the collimate lens and a 45 degree direction astigmatism of the objective lens may be offset by each other (Column 3, lines 59-67).

In regards to claim 2, Itoh et al discloses the optical pickup according to claim 1, characterized in that the collimate lens and the objective lens have a gate for resin injection wherein the gates are reference positions when adjusting the mounting angles (Column 2, lines 56-68).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LINH T. NGUYEN whose telephone number is (571)272-5513. The examiner can normally be reached on 10:00am-7:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wayne Young can be reached on 571-272-7582. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have

questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/TAN Xuan DINH/
Primary Examiner, Art Unit 2627
September 29, 2008

LN
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